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CAPCOA ENGINEERING MANAGERS COMMITTEE MEETING MINUTES

April 25, 2017 10:00 am to 5:00 pm
April 26, 2017 8:30 am to 12:00 pm

Bay Area AQMD

[<https://www.google.com/maps/place/375+Beale+St,+San+Francisco,+CA+94105/@37.7880121,-122.3937092,17z/data=!4m13!1m7!3m6!1s0x80858070ac3c2691:0x147d58cf1f55eacf!2s375+Beale+St,+San+Francisco,+CA+94105!3b1!8m2!3d37.7880121!4d-122.3915205!3m4!1s0x80858070ac3c2691:0x147d58cf1f55eacf!8m2!3d37.7880121!4d-122.3915205>], CA

94105

On April 25: 1st floor Yerba Buena Conf. Room

On April 26: 6th floor Bay Area Conf. Room

Call in number: (913) 312-9372; Passcode: 398292

TUESDAY, April 25, 2017

Part 1 – Administrative Business

1.1. Introductions/Attendance List

In Attendance:

Jorge DeGuzman (Chair), Sacramento Metro AQMD
Arnaud Marjollet (Vice-Chair), San Joaquin Valley APCD
Laki Tisopulos, South Coast AQMD
Mary Giraud, MBARB
Jim Swaney, San Diego APCD
David Lusk, Butte County AQMD
Paul Hensleigh, Yolo-Solano AQMD
Gary Willey, San Luis Obispo County APCD
Ben Beattie, Yolo-Solano AQMD
Kerby Zozula, Ventura County APCD
Barry Young, Bay Area AQMD
Sanjeev Kamboj, Bay Area AQMD (Tuesday)
Carol Allen, Bay Area AQMD (Tuesday)
Gerardo Rios, EPA Region 9
Eugene Chen, EPA Region 9 (Monday)
Tung Le, ARB (Monday)
Chris Gallenstein, ARB (Monday)
Brian Clerico, ARB (Monday)

By Phone:

Lisa Peterson, El Dorado AQMD
Mike Goldman, Santa Barbara County APCD
David Harris, Santa Barbara County APCD
John Finnel, Placer County APCD
Mat Ehrhardt, Yolo-Solano AQMD
Emmanuel Orozco, Feather River AQMD
Alan J. De Salvio, AVAQMD/MDAQMD
Sheri Haggard, MDAQMD
Roseanne Navarro-Brasington, MDAQMD
Ian Ledbetter, Glenn County APCD
Jeff Pinnow, Yolo-Solano AQMD (Tuesday)

- 1.2. Volunteer to Take Minutes: David Lusk volunteered to take minutes.
- 1.3. Additions/Changes to Agenda: No changes were requested.
- 1.4. Confirmation of upcoming meetings

Date	Host	Location
Jan 30-31, 2017	San Diego APCD	[HYPERLINK "https://www.google.com/maps/place/32%C2%B043'19.1%2C-117.1743177,17z/data=!3m1!4m5!3m4!1s0x0:0x0!8m2!3d32.721967!4d-117.1743177"]
Apr 24 (Training)	EPA Region 9 – Electronic Reporting Training Class	[HYPERLINK "https://www.google.com/maps/place/75+Hawthorne+St,+San+Diego+CA+92122.4002459,17z/data=!4m3!1m7!3m6!1s0x8085807c56d9a5b1:0x308c933b0871409a!8m2!3d37.7223980572!3m4!1s0x8085807c56d9a5b1:0x308c933b0871409a!8m2!3d37.7223980572"]
Apr 25-26, 2017	Bay Area AQMD	[HYPERLINK "https://www.google.com/maps/place/375+Beale+St,+San+Francisco+CA+94102.3937092,17z/data=!4m3!1m7!3m6!1s0x80858070ac3c2691:0x147d58cf1f55eacf!8m2!3d37.7223915205!3m4!1s0x80858070ac3c2691:0x147d58cf1f55eacf!8m2!3d37.7223915205"]
Jun 19-20, 2017	San Luis Obispo Co. APCD	[HYPERLINK "https://www.google.com/maps/place/3433+Roberto+Ct,+San+Luis+Obispo+CA+93402.6469853,17z/data=!3m1!4m5!3m4!1s0x80ecf1364b610df5:0x747dbf30x0d53f48fe7bf3:0xd53f48fe7bf3"]
Aug 28-29, 2017	Monterey Bay APCD	[HYPERLINK "https://www.google.com/maps/place/1+Ryan+Ranch+Rd,+Monterey+CA+93941.828557,433m/data=!3m1!1e3!4m5!3m4!1s0x808de53f48fe7bf3:0xd53f48fe7bf3"] Monterey-Salinas Transit (MTS) Office
Tuesday Nov. 7 & Wed. Nov. 8, 2017	Engineering/Enforcement Symposium	Lake Natoma Inn 702 Gold Lake Drive in Folsom, CA 95630

The meeting schedule was reviewed. The committee discussed meeting prior to the Symposium and requested Kerby Zozula and David Lusk confirm with Annie Boyd at CAPCOA that meeting space could be arranged for the afternoon of November 6 at the Lake Natoma Inn.

- 1.5. Approval of prior Meeting Minutes: January 2017 minutes: The minutes were approved upon recommendation of Chair Jorge DeGuzman and second by Paul Hensleigh.
- 1.6. Review of Action Items: The action item table was reviewed and completed items noted and other items clarified.

Part 2 – ARB Updates– Tung Le

2.1. Oil and Gas Regulation

Jim Nyarady, Joe Fischer, Craig Segall, and Elizabeth Scheehle were on the phone to discuss the status and requirements of the Oil and Gas GHG regulation. The regulation was adopted by the ARB Board on March 23, 2017 and ARB was working on the final FSOR for the package to OAL. Next steps were working on Memorandum of Agreement with participating districts. Discussion on authority to add GHG to permits and ARB staff reported believed permitting requirements in HSC §42301 were sufficient. Portions of the regulation requirements begin in 2018 with compliance milestones in 2019.

2.2. CTG - How's ARB going to address it? Equivalency?

Gerardo Rios reported the federal Oil and Gas measure (OOOOa) was on hold pending review by the new Administration. Further discussion pending resolution of federal actions.

2.3. Title V/Clean Power Plan Workgroup Updates

Tung Le reported California Plan still valid; however, federal activity halted. No update.

2.4. Landfill regulation and 40 CFR Subpart Cf - Discussion of comments and Board hearing

Tung Le reported ARB pursuing equivalency with the Landfill Methane Regulation. For more details: [[HYPERLINK "https://www.arb.ca.gov/cc/landfills/landfills.htm"](https://www.arb.ca.gov/cc/landfills/landfills.htm) \1 "stateplan"]. Gerardo Rios noted this federal regulation subject to Congressional Review. If federal guidelines remain and equivalency denied, ARB will request extension for districts to re-vamp landfill

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rules for new requirements. When questioned, ARB reported existing landfill rules could be repealed if equivalency granted as all sources would be subject to the landfill methane rule.

2.5. Amending District rules to allow for E-noticing – SB288 implications?

Tung Le led discussion on ARB pending guidance for e-notification. Current version is in ARB management review and likely to be released in mid-May. Discussion on SB288 issues. Gerardo Rios discussed including “enhanced noticing” for special populations. Some discussion of State code requirements for newspaper noticing for certain permitting/ERC actions.

2.6. SB49 and possible implications

Chris Gallenstein and Tung Le reported ARB following this bill and alerted the Committee that due to the author’s pull, a version of this bill will likely be approved. Ramifications of the bill are enormous based on the current language (essentially requires ARB to adopt all federal environmental regulations) and also awkward (would likely require California agencies to implement regulations that have been stayed or vacated by court order). ARB and CAPCOA tracking this bill.

2.7. Interagency Waste Workgroup Updates

Tung Le updated the committee on the status of the workgroup and intent to produce a white paper to assist in siting and permitting issues for compost and anaerobic digester projects. The current plan is to incorporate previous workgroup products into the paper. Committee expressed an interest to review work prior to public process. Discussion on fugitive versus point source determinations for composting operations for local and federal permitting.

LUNCH

Part 3 – EPA Updates (– Gerardo Rios)

3.1. EPA under new administration – What to expect

Gerardo Rios reported that EPA’s path is still unclear and programs are under review. The focus will be to continue permitting. When asked, Gerardo noted status of 103/105 grants was unknown.

3.2. Update on 8-hr ozone rulemaking lawsuit/corrections (comments were due 1/17/17)

Gerardo reported the issue was validity of offsets and districts had to have or develop mechanism for establishing validity, like a tracking system that ensured offsets were surplus. For rule actions, conditional approvals are moving forward where limited approval/disapprovals are being held back. To have a conditional approval for a rule, the district will need to submit a commitment letter to EPA noting any rule deficiencies will be corrected within one year. Gerardo will send a table of district rule issues and suggested resolutions.

Gerardo reported on NH3 issues in NSR rules b/c of guidance changes at the federal level. Either NH3 should be included as a PM2.5 precursor or an extensive demonstration (inventory and modeling) is required to not include. Major modification thresholds are unclear.

The following topics are on hold and no update provided by Gerardo:

3.3. Revision to the petition provisions of Title V

3.4. SILs guidance for districts

3.5. Revisions to PSD and Title V for GHG – Next Step (if any) for districts (SB49 implications)

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3.6. Removal of Title V emergency affirmative defense provisions

3.7. Next Gen in air permits

3.8. CEDRI training (Scheduled for 4/24/2017)

Training was held on 4/24 and briefly discussed possibility of including required Title V reporting and possibly SIP submittals in the system. Currently could include as a special report.

3.9. District's NSR rules (see 3.2 above)

- a. SDAPCD NSR and Exemption Rule: EPA requesting San Diego for list of exempted sources which is impractical since no reporting or records are required for many exempted sources.

3.10. Other EPA:

Gerardo Rios discussed Federal Land Manager Notification issues, including that districts rules many not specifically require notification for attainment (PSD) and non-attainment (NSR) permitting but it is required by other federal law. Requirement is not limited to just visibility but also to other air quality impacts. See the following website for more details: [HYPERLINK "<https://www.epa.gov/caa-permitting/federal-land-manager-notification-new-source-review-nsr-permit-applications>"].

Part 4 –PERP

4.1. Portable ATCM and PERP changes (Paul/Gary/ARB)

Paul Hensleigh reported ARB was amenable to suggested changes to qualifying PERP for use at stationary sources that was brought up as an issue in our last meeting. The regulation has been delayed for Board action until late 2017, however, due to economic impacts analysis issues with the Department of Finance.

Paul also reported ARB had removed the drought emergency exemption from PERP except for 4 counties/districts and the unauthorized drilling rigs may be an issue for districts. ARB was also addressing change of home district issues and district discretion for permitting/registering engines not meeting the current Tier standards.

4.2. Permitting of mobile equipment - Update from San Joaquin

Arnaud Marjollet distributed a draft policy being developed by SJVAPCD that distinguishes when engines that may also provide motive power are subject to NSR requirements. In summary, if the primary function of an engine is to power an activity that occurs while the equipment is stationary (i.e. rock crusher on tracks or nut conveyor), then the policy requires the engine to be permitted. If the engine powers a vehicle that may also act as a stationary source (tractor driving a grinder or pump by PTO), then the engine would still be consider mobile. If the nature of the equipment is that both moving and the activity occurs simultaneously (windrow compost turner), the engine would still be considered a mobile engine but the activity (compost turning in this example) may still be permitted. Arnaud requested districts review and provide comment on the draft policy. Discussion pursued on issues with trying to require additional controls on non-road engines and recently court cases related to that issue.

BREAK

Part 5 – District /ARB/EPA Topics of Discussion

5.1. Air Curtain Incinerators (ACI)

- a. Emission Factor Study: EPA and SJVAPCD

Arnaud Marjollet led discussion on ACI emission factors. SJVAPCD reviewed EPA's emission factors for ACIs gathered during the Katrina recovery. Concerns over PM

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emissions greater than open burning. In the study, SJV staff analyzed existing ST for ACIs, reviewed open burning and permitted biomass emission factors and made recommendations for representative emission factors for criteria pollutants from ACIs. Gerardo Rios expressed some concern that some emissions, like sulfur dioxide, were dependent of elements, like sulfur, in the raw material and districts in general should probably test/review that information prior to a blanket use of factors.

b. Delegation Option

Gerardo Rios reported that upon further research, the Other Solid Waste Incinerator (OSWI) Title V exemption authority may be delegated to State and local agencies. Some discussion on how the delegation would occur and Gerardo believed that it would take a district adopting (by reference would be the easiest) the provisions of the OSWI regulation and requesting delegation. Since this is different than previous delegations, contact Andrew Steckel at Region 9 for follow-up.

c. Sample local evaluations, permits

Discussion on local mechanisms to authorize ACIs. Some district claiming ACIs as open burning as noted in HSC 41812 and issuing burn permits. For the engine, PERP would be the most common authorizations. If an ACI remains in one location for 12 months, could be a PERP issue. The Tree Mortality Emergency Declaration would exempt engines from the PERP requirements as an emergency event. Monterey Bay ARB reported contracting an ACI for storm clean-up for multiple locations for a limited period of time to reduce open pile burning emissions.

d. Sample Title V permits

Discussion on whether the State could issue a single, multiple location Title V permit when applicable and noted they have no authority. Title V must include all applicable federally enforceable conditions which would vary by district. Gerardo noted sample Title V ACI permits from Arizona were available and they included requirements for multiple jurisdictions. Kerby Zozula reported that the Santa Barbara, Ventura and San Luis Obispo may pursue a common Title V permit since they have a model for that approach with their ag engine registration program. Committee asked to send examples to Jorge.

5.2. Landfill regulation and 40 CFR Subpart Cf – Rule vs equivalency (see discussion 2.4 above)

- a. Options for districts if ARB gets equivalency
- b. Title V implications

5.3. SB-49 – Potential Impacts (See discussion 2.6 above)

5.4. NATA /AB-2588 Discrepancies

Jorge DeGuzman reported reviewing the draft 2014 NATA data and finding a source designated with significant risk based on pollutant with EPA risk values but no RELs from OEHHHA. The source had discontinued using the propellant and Sac Metro was able to correct but brings up the concern on how to manage. Recommending this topic be reviewed by TARMAC with ARB and OEHHHA participating in resolving.

Mary Giraudo had a question regarding landfill engines replacement. The proposed project was to buy a fourth identical engine and use it as a replacement during maintenance on the remaining three engines. The engines would remain in place after the engine was refurbished and that refurbished engine would replace another in the future. Gerardo noted that EPA had not developed firm guidance on this issue but technically each replacement may be considered a new engine. Some districts noted their NSR rules did not consider identical replacement a modification. Including Alternative Operating scenario provisions in the permit may be a creative way to address concerns. Mary noted they were permitting the

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4th engine and had incorporated it into the Title V permit so EPA may have to comment on this issue soon.

WEDNESDAY

Part 6 - Committee Updates and Board Assignments

- 6.1. GDF Sub-Committee - Roseana Brasington (Mojave Desert)
ARB is wrapping up the Overpressure study. Discussion of Emission Factors and that balance systems appear to have slightly lower emissions versus vapor assist. Committee still needs clarity on CAPCOA Board "approval" of emission factors and Mat Erhardt will get with Alan Abbs to ensure topic is resolved. Concerns remain of consistent use of factors for permitting, planning, and toxics review. GDF Sub-committee has discussed involvement with ARB's task team for the industry-wide survey for AB2588.
- 6.2. TARMAC Report/OEHHA Update - Sanjeev Kamboj (BAAQMD)
Reviewed NATA review schedule. Discussion on AB197 tool to track criteria and toxic emission changes as part of the AB32 GHG reporting. This tool is an evolution of the Adaptive Management program from previous years. Issues with data consistency and misrepresentation. TARMAC received a report from DTSC headed by Mohsen Nazemi on DTSC HRA procedures that are currently being reviewed and promulgated. Bay Area AQMD reported on toxics TBARCT rule development to implement the requirements of AB2588 risk reduction. Gerardo Rios noted EPA process is similar in that the NESHAPs and MACT address toxics in certain categories and the next step is to address the remain risk drivers.
- 6.3. Enforcement Managers Update - Jeff Pinnow (Yolo-Solano)
ARB using an Administrative Law hearing process for some enforcement cases. ARB setting up enforcement liaison for each district. Training concerns due to low staffing. For onroad compliance, 300K trucks expected out of compliance. Registration tied to compliance status beginning 2020. Discussed possible Symposium topics. More detailed summary emailed.
- 6.4. Board Liaison Report - Mat Ehrhardt / Alan Abbs
Mat Ehrhardt reported on recent Board activity including AB197 tool interest, status of 103/105 grants, legislative concerns such as SB1 and SB 49 and bills for changes to Moyer program.

Part 7 – Training / Symposium

- 7.1. 2017 Joint Engineering Enforcement Symposium Discussion
Kerby started discussion on the joint symposium. Alan Abbs applied for and received a grant to cover registration costs. In working with TARMAC and Enforcement Managers, dates will be Tuesday November 7 and Wednesday November 8, 2017 at the Lake Natoma Inn at 702 Gold Lake Drive in Folsom, CA. Set up will be 1st day combined program with CalRecycle, DTSC, and Environmental Justice (to fulfill grant requirements) with 2nd day of split program for compliance or engineering/toxic focus. Possible 2nd day topics discussion included: EPA update, Oil and Gas regs., Data base development/status, new technology (pyrolysis), drone use, remote optical monitoring, PERP/Port ATCM update, AB 197 tool, AB2588 implementation panel. Kerby will solicit feedback on key topics. Also, considering a "ask the expert" session during lunch to allow interaction and gather advice.
- 7.2. CAPCOA/ARB Training
Kerby reported lack of staffing has slowed down ARBs ability to fully take over the CAPCOA Basic Engineering and Compliance course. CAPCOA member involvement still needed for teaching segments of the training.

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From the past meeting, committee had discussed a training syllabus for new staff/engineers as part of the onboarding process. Send existing documentation to Jorge.

7.3. Electronic Reporting Training Class

David Lusk noted the class was useful. Gerardo believed it had been recorded and could be used in the future and that more training could be arranged via the webcast in the future. Attendees noted that other than the CEDRI component, instructors mentioned training for ERT and Webfire segments of the data system. Gerardo's staff can coordinate training requests.

BREAK

Part 8 – District Update / Issues:

8.1. Pyrolysis Units: Toxics Emission Data – David L.

David Lusk reported on a potential project in the Butte district that used pyrolysis to make biochar and was requesting assistance in determining what would be the minimal toxic testing regime for orchard waste. Project proponents have an opportunity for limited source testing and may be able to fund some toxics testing. ARB's Emissions Inventory Guidance document includes PAHs, metals, dioxins, and furans. Send further thoughts to David. Other pyrolysis interest included SC and Bay Area applications for pyrolytic medical waste incineration projects. Monterey Bay ARB has interest in a pyrolysis project to produce biochar and syngas for a boiler, engine and Fischer Troph fuel production process. Ventura County APCD reporting exemption issued for bench scale biomass biochar production research. All encouraged to involve environmental groups early in the process.

8.2. Selling Used Engines – David L.

Butte County is developing a very basic advisory cautioning the selling of used engines. Selling older engines for use in California is prohibited by the ATCM except in some very limited circumstances but no disclosure requirement is in the regulation. David will distribute copy of advisory which is some recommended approaches when disposing of older engines.

8.3. District Permit Database Updates

District providing updates: SacMetro—revising scope and RFP looking at customizing “off the shelf” product, San Diego—Using Lakes for inventory, SJV—progressing with enhancements as time permits, South Coast—Interest in moving toward online application process for commons sources similar to Bay Area, Bay Area—issues with online applications process and registration system is currently down, and Monterey—experiencing issues with new system.

Gerardo noted that EPA has had e-enterprise grants available to help generate database systems with state and local agencies. During the last funding period, there wasn't sufficient time to submit an application but if a district has scoped a project, he may be able to assist in the future.

8.4. Power Plant Permitting Updates –

John Finnell with Placer had questions about relocating an existing power plant. Based on NSR requirements, relocations to a new site are considered new facilities and subject to preconstruction permits. Gerardo reported on that Palmdale permitting is expected to restart. Again discussed cycling an engine or turbine into an existing facility during maintenance activities.

8.5. New BACT Determinations and Unique Permitting Activities

SJV reported on new ceramic mesh wall research project (Duplex by Clear Sun) for external combustion devices (boilers) that has shown meeting BACT limits (5 ppm NO_x) but with about 3% fuel savings over current designs. South Coast reports similar projects.

SLO reported on digester project that proposed to compost residual sludge.

SacMetro discussed using microwave technology (Cha) for carbon regeneration on siloxane control on digester gas used in engines. More cost effective approach.

Gerardo reported on companies using industrial batteries for peaking storage. Examples in SC district.

8.6. Roundtable Discussion – Open Floor for Districts

Monterey Bay ARB found engine in their district operating in a Demand Response Program (believed to not be allowed by ATCM). For source of information on other companies that may be participating in DRPs, check with CEC.